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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,304	11/19/2003	Pascal Banry	03-43	6474

7590 12/09/2005

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EXAMINER

COLETTA, LORI L

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 12/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/717,304	Applicant(s) BANRY ET AL	
	Examiner Lori L. Coletta	Art Unit 3612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 16, 17, 20-22, 24, 26 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Ohno et al. 5,378,031.

Regarding claim 16, Ohno '031 discloses a motor vehicle bumper comprising a shield (1) having a first impact zone located substantially at a first height corresponding to a knee of an adult pedestrian and, immediately below the first impact zone, a second impact zone located substantially at a second height corresponding to a tibia of the adult pedestrian, the shield comprising a top portion and a bottom portion set back from the top portion; a beam (3) behind the shield substantially at the first height, in register with and at a certain distance from the shield and in which the beam is placed in register with the top portion; and at least one block comprising a compressible material interposed between the beam and the shield, the block having a front end in register with the second impact zone of the shield, a rear end in register with the beam, and a cross-section that increases from its front end towards its rear end, the block being interposed between the beam and the top portion in Figure 2.

Regarding claim 17, Ohno '031 discloses the motor vehicle bumper, wherein the beam (3) includes a transverse length and the block is disposed transversely along the length of the beam in Figure 2.

Regarding claim 20, Ohno '031 discloses the motor vehicle bumper, wherein the cross-section of the block defines a trapezoid having a small base formed by the front end and a large base formed by the rear end in Figure 2.

Regarding claim 21, Ohno '031 discloses the motor vehicle bumper, wherein the cross-section defines a rectangular trapezoid having a perpendicular side that is perpendicular to the small base and the large base in Figure 2.

Regarding claim 22, Ohno '031 discloses the motor vehicle bumper, wherein the block includes a bottom face facing downwards defining the perpendicular side in Figure 2.

Regarding claim 24, Ohno '031 discloses the motor vehicle bumper, wherein the first height is more than 450 mm above the ground in Figure 2.

Regarding claim 26, Ohno '031 discloses the motor vehicle bumper, wherein the compressible material comprises foam in Figure 2.

Regarding claim 27, Ohno '031 discloses the motor vehicle bumper, wherein the foam material comprises expanded polypropylene in Figure 2.

3. Claims 16 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Renault 6,435,577.

Regarding claim 16, Renault '577 discloses a motor vehicle bumper comprising a shield having a first impact zone located substantially at a first height corresponding to a knee of an adult pedestrian and, immediately below the first impact zone, a second impact zone located substantially at a second height corresponding to a tibia of the adult pedestrian, the shield comprising a top portion and a bottom portion set back from the top portion; a beam (4) behind the shield substantially at the first height, in register with and at a certain distance from the shield and in which the beam is placed in register with the top portion; and at least one block comprising a compressible material interposed between the beam and the shield, the block having a front end in register with the second impact zone of the shield, a rear end in register with the beam, and a cross-section that increases from its front end towards its rear end, the block being interposed between the beam and the top portion in Figure 1.

Regarding claim 18, Renault '577 discloses a motor vehicle bumper, wherein the bumper includes a plurality of spaced-apart blocks (10 and 32) in Figure 1.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ohno et al. 5,378,031 in view of Evan 2002/0149214.

Regarding claim 19, Ohna et al. '031 discloses the bumper but does not show wherein the bumper includes a plurality a juxtaposed blocks.

Evans '214 teaches a bumper (20) with a plurality of juxtaposed blocks (22) in Figure 5.

Regarding claim 19, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the bumper of Ohna et al. '031 with plurality of juxtaposed blocks, as taught by Evans '214, in order to provide improved consistent collapse and energy absorption.

6. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ohno et al. 5,378,031 in view of Sato et al. '065.

Regarding claim 23, Ohna et al. '031 discloses the bumper but does not show wherein the shield includes a shoulder extending towards the beam, and the bottom face rests on the shoulder.

Sato et al. '065 teach a shoulder extending towards the beam, and the bottom face rests on the shoulder.

Regarding claim 23, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the bumper of Ohna et al. '031 with a shoulder extending towards the beam, and the bottom face rests on the shoulder, as taught by Sato et al. '065, in order to reduce the damage to the knee.

7. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ohno et al. 5,378,031 in view of Salloum et al. 3,933,387.

Regarding claim 25, Ohna et al. '031 discloses the bumper but does not show wherein the cross-section more than doubles from the front end of the block to the rear end of the block.

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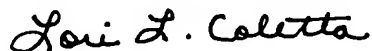
Salloum et al. '387 teach a cross-section that more than doubles from the front end of the block to the rear end of the block.

Regarding claim 25, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the bumper of Ohna et al. '031 with a cross section that more than doubles from the front end of the block to the rear end of the block, as taught by Salloum et al. '387, in order to absorb impact energy with high efficiency.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lori L. Coletta whose telephone number is 571-272-6658. The examiner can normally be reached on Monday-Friday 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on 571-272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lori L. Coletta
Primary Examiner
Art Unit 3612

llc
November 29, 2005